

JOURNAL OF THE ASSEMBLY [July 14, 1981]

STATE OF WISCONSIN

Assembly Journal

Eighty-Fifth Regular Session

TUESDAY, July 14, 1981.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Representative Kunicki.

Representative Berndt led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present -- Alberts, Andrea, Barczak, Becker, Behnke, Berndt, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Crawford, Czarnezki, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Harer, Hasenohrl, Hauke, Helbach, Holschbach, Hopkins, Jaronitzky, Johnson, Kincaid, Kirby, Klicka, Knox, Kunicki, Laatsch, Ladwig, Larson, Lee, Leopold, Loftus, Looby, Luckhardt, McEssy, McEwen, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Neubauer, Norquist, Otte, Panzer, Paulson, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Robinson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood, Young and Mr. Speaker -- 96.

Absent -- None.

Absent with leave -- Hephner and Lewison -- 2.

Vacancies -- 47th District -- 1.

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 32** offered by Representative Schneider.

Assembly amendment 1 to **Assembly Bill 352** offered by committee on Local Affairs.

Assembly amendment 1 to **Assembly Bill 362** offered by committee on Commerce and Consumer Affairs.

Assembly amendment 2 to **Assembly Bill 616** offered by Representative Hauke.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 16

Relating to standing committee review of proposed administrative rules.

By Representatives Thompson, Young, Conradt, Stitt, Klicka, Goodrich, Ladwig, Harer, Lewison, Schmidt, R. Travis, Alberts, Hopkins and Radtke.

To Joint Committee for Review of Administrative Rules.

Assembly Joint Resolution 62

Requesting the legislative council to study mobile home taxation.

By Representatives Hasenohrl, Helbach, Shoemaker and Larson, co-sponsored by Senator Harnisch.

To committee on Government Operations.

Assembly Joint Resolution 63

Relating to limiting the total biennial appropriation which the legislature may enact to the growth rate of adjusted gross income (first consideration).

By Representatives Thompson, Shabaz, Lewison, Ladwig, Klicka, Conradt, Young, Stitt, Goodrich, Harer, Schmidt, R. Travis, Hopkins and Alberts.

To committee on Government Operations.

Assembly Joint Resolution 64

Requesting the legislative council to study the assignment of consumer protection functions to the department of justice and the department of agriculture, trade and consumer protection.

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By Representatives Miller and Young.

To committee on Commerce and Consumer Affairs.

Assembly Bill 659

Requiring party nominations by majority vote and providing for runoff elections.

By Representatives Lee, Neubauer and Becker, co-sponsored by Senator Berger.

To committee on Elections.

Assembly Bill 660

Relating to first and 2nd choice voting in partisan primaries and providing for nominations by majority vote.

By Representatives Lee, Robinson and Becker.

To committee on Elections.

Assembly Bill 661

Relating to the income tax treatment of product liability losses.

By Representatives Thompson, Hopkins, Schmidt, Goodrich, Young, Klicka, Lewison, Ladwig, Conradt, Stitt, Harer, R. Travis and Alberts.

To committee on Revenue.

Assembly Bill 662

Relating to permits to remove materials from waters of the state.

By Representatives Thompson, Lewison, Klicka, Young, Goodrich, Schmidt, Hopkins, Radtke, R. Travis, Harer, Stitt, Conradt and Ladwig.

To committee on Environmental Resources.

Assembly Bill 663

Relating to permit requirements concerning the enlargement and protection of waterways.

By Representatives Thompson, Ladwig, Conradt, Stitt, Harer, R. Travis, Hopkins, Radtke, Schmidt, Goodrich, Young, Klicka and Lewison.

To committee on Environmental Resources.

Assembly Bill 664

Relating to committing a felony with a firearm and revising penalties.

By Representatives Thompson, Nelsen, Alberts, Young, R. Travis, Lewison, Radtke, Robertson, McEssy, Klicka, Harer, Conradt, Schmidt, Ladwig, Goodrich and Stitt, co-sponsored by Senator Lorman.

To committee on Criminal Justice and Public Safety.

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Assembly Bill 665

Relating to exempting from income taxation gains from the sale of a business if the gain is reinvested in a business in this state.

By Representatives Thompson, Radtke, Hopkins, Robertson, Alberts, R. Travis, Schmidt, Harer, Goodrich, Stitt, Young, Conradt, Klicka, Ladwig and Lewison.

To committee on Revenue.

Assembly Bill 666

Relating to criminal trespass to land and providing a penalty.

By Representative Robertson, by request of Richard Morchinek, Whitehall, WI.

To committee on Criminal Justice and Public Safety.

Assembly Bill 667

Relating to authorizing veterans housing loans for farmers.

By Representatives Paulson, Larson, R. Travis, Thompson, Donoghue, Schmidt, Robertson, Matty, Harer and Berndt, co-sponsored by Senators Harsdorf and Kreul.

To committee on Veterans and Military Affairs.

Assembly Bill 668

Relating to beer and liquor wholesalers' interest in retail premises.

By Representatives Bradley, Dorff, Conradt, Byers and Paulson.

To committee on Excise and Fees.

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 80-173

Relating to the water quality classification of the drainageway southeast of the Village of Turtle Lake to Moon Creek.

Submitted by Department of Natural Resources.

To committee on Environmental Resources.

Referred on July 14, 1981.

Assembly Clearinghouse Rule 80-242

Relating to certified public accountant audits of credit unions in lieu of examinations by the state of Wisconsin.

Submitted by Office of the Commissioner of Credit Unions.

To committee on Insurance, Cooperatives and Risk Management.

Referred on July 13, 1981.

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Assembly Clearinghouse Rule 81-76

Relating to making impressions for ear molds.

Submitted by Department of Regulation and Licensing.

To committee on Health and Human Services.

Referred on July 13, 1981.

Assembly Clearinghouse Rule 81-80

Relating to traffic violation and registration program.

Submitted by Department of Transportation.

To committee on Transportation.

Referred on July 13, 1981.

Assembly Clearinghouse Rule 81-103

Relating to listing of insurance agents by insurers, biennial licensing of agents and corporations, standards of competence and trustworthiness for corporation partners, directors or principal officers and agents' notification to the commissioner of legal or disciplinary actions.

Submitted by Office of the Commissioner of Insurance.

To committee on Insurance, Cooperatives and Risk Management.

Referred on July 13, 1981.

COMMITTEE REPORTS

The committee on Environmental Resources reports and recommends:

Assembly Bill 394

Relating to construction of boathouses on navigable waters.

Passage: Ayes: (10) Noes: (0)

To committee on Rules.

MARY LOU MUNTS
Chairperson

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EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

To the Honorable, the Assembly:

The following bill, originating in the assembly, has been approved, signed and deposited in the office of the Secretary of State:

Assembly Bill	Chapter No.	Date Approved
244	18	July 12, 1981

Respectfully submitted,
LEE SHERMAN DREYFUS
Governor

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has adopted and asks concurrence in:

Senate Joint Resolution 35

Concurred in:

Assembly Bill 327

Assembly Bill 610

Assembly amendments 1, 2, 3, 5 and 6 to **Senate Bill 22**

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 35

Relating to commending the United Brotherhood of Carpenters and Joiners of America, AFL-CIO, on its centennial anniversary.

By Senator Van Sistine.

To calendar.

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CALENDAR OF THURSDAY, JULY 9, 1981

Assembly Bill 66

Relating to state finances and appropriations, constituting the executive budget bill of the 1981 legislature, and making appropriations.

Representative Loftus asked unanimous consent that **Assembly Bill 66** be laid on the table. Granted.

Representative Loftus asked unanimous consent that the assembly stand recessed until 1:30 P.M. Granted.

The assembly stood recessed.

10:15 A.M.

RECESS

1:40 P.M.

The assembly reconvened.

Representative Rooney asked unanimous consent that the assembly stand recessed until 3:00 P.M. Granted.

The assembly stood recessed.

1:45 P.M.

RECESS

3:20 P.M.

The assembly reconvened.

LEAVES OF ABSENCE

Representative Thompson asked unanimous consent for a leave of absence for today's session for Representative Lewison. Granted.

Representative Loftus asked unanimous consent for a leave of absence for today's session for Representative Hephner. Granted.

Assembly Bill 92

Relating to Great Lakes trout and salmon stamps and creating an appropriation.

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The question was: Shall the vote by which **Assembly Bill 92** was passed be reconsidered?

The roll was taken.

The result follows:

Ayes -- Berndt, Bradley, Byers, Conradt, DeLong, Donoghue, Ellis, Goodrich, Harer, Hasenohrl, Hopkins, Jaronitzky, Klicka, Knox, Laatsch, Larson, Luckhardt, McEssy, McEwen, Merkt, Miller, Murray, Nelsen, Panzer, Paulson, Porter, Quackenbush, Radtke, Robertson, Robinson, Schmidt, Shabaz, Shoemaker, Smith, Thompson, Travis, R., Tregoning and Young -- 38.

Noes -- Alberts, Andrea, Barczak, Becker, Behnke, Broydrick, Clarenbach, Coggs, Crawford, Czarnecki, Dilweg, Dorff, Duren, Everson, Fischer, Flintrop, Gerlach, Hauke, Helbach, Holschbach, Johnson, Kincaid, Kirby, Kunicki, Ladwig, Lee, Leopold, Loftus, Looby, Matty, Medinger, Menos, Metz, Munts, Neubauer, Norquist, Otte, Plewa, Plous, Potter, Prosser, Roberts, Rogers, Rooney, Rutkowski, Schneider, Schneiders, Stitt, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood and Mr. Speaker -- 58.

Absent or not voting -- Hephner and Lewison -- 2.

Motion failed.

Assembly Bill 406

Relating to an interstate corrections compact and making an appropriation.

The question was: Shall the vote by which senate amendment 1 to **Assembly Bill 406** was concurred in be reconsidered?

The roll was taken.

The result follows:

Ayes -- Alberts, Barczak, Becker, Behnke, Berndt, Byers, Clarenbach, Coggs, Conradt, DeLong, Donoghue, Duren, Everson, Goodrich, Harer, Kincaid, Klicka, Laatsch, Ladwig, Larson, Leopold, Luckhardt, McEssy, McEwen, Matty, Menos, Murray, Panzer, Paulson, Porter, Potter, Radtke, Robertson, Rogers, Schmidt, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Thompson, Tregoning, Williams and Young -- 45.

Noes -- Andrea, Bradley, Broydrick, Crawford, Czarnecki, Dilweg, Dorff, Ellis, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke,

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Helbach, Holschbach, Hopkins, Jaronitzky, Johnson, Kirby, Knox, Kunicki, Lee, Loftus, Looby, Medinger, Merkt, Metz, Miller, Munts, Nelsen, Neubauer, Norquist, Otte, Plewa, Plous, Prosser, Quackenbush, Roberts, Robinson, Rooney, Rutkowski, Schneider, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wood and Mr. Speaker -- 50.

Absent or not voting -- Hephner -- 1.

Paired for -- Lewison -- 1.

Paired against -- Travis, R. -- 1.

Motion failed.

The question was: Shall the vote by which senate amendment 3 to **Assembly Bill 406** was concurred in be reconsidered?

The roll was taken.

The result follows:

Ayes -- Alberts, Barczak, Becker, Behnke, Berndt, Byers, Clarenbach, Cogg, Conradt, DeLong, Donoghue, Duren, Everson, Goodrich, Harer, Hopkins, Klicka, Laatsch, Ladwig, Larson, Leopold, Luckhardt, McEssy, McEwen, Matty, Menos, Murray, Panzer, Paulson, Porter, Potter, Radtke, Robertson, Rogers, Schmidt, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Thompson, Tregoning, Williams and Young -- 45.

Noes -- Andrea, Bradley, Broydrick, Crawford, Czarnezki, Dilweg, Dorff, Ellis, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Holschbach, Jaronitzky, Johnson, Kincaid, Kirby, Knox, Kunicki, Lee, Loftus, Looby, Medinger, Merkt, Metz, Miller, Munts, Nelsen, Neubauer, Norquist, Otte, Plewa, Plous, Prosser, Quackenbush, Roberts, Robinson, Rooney, Rutkowski, Schneider, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Wood and Mr. Speaker -- 50.

Absent or not voting -- Hephner -- 1.

Paired for -- Lewison -- 1.

Paired against -- Travis, R. -- 1.

Motion failed.

Representative Vanderperren asked unanimous consent to be recorded as voting "Aye" on passage of Assembly Bill 641 on Tuesday, July 7. Granted.

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Representative Thompson asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Bradley. Granted.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly Bill 656

Page 40, line 10: after "SECTION" insert "15m".

Senate Bill 93

Page 1, line 5: delete ", 632.89 (4) and (6)".

Engrossed senate amendment 125 to Assembly Bill 66

1. Page 21, line 31: after "Milwaukee" insert "county".
2. Page 48, line 30: delete the first "rehabilitating".
3. Page 49, line 3: after "under" insert "s.".
4. Page 53, line 1: substitute "33" for "35".
5. Page 129, line 18: after "and" insert "may".
6. Page 156, line 25: delete "\$5.00" and substitute "\$5".
7. Page 182, line 22: after "(c)" insert a comma.

VISITORS

During today's session, the following visitors honored the assembly by their presence, and were welcomed by the presiding officer and the members:

Fran and Jack Crowe from Dublin, Ireland and former representative Michael Early, guests of Representative Roberts.

Representative Loftus moved that the assembly stand adjourned until 10:00 A.M. tomorrow.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

3:40 P.M.